

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Carl Lee Eller,

Civil No. 09-2 JMR/FLN

Plaintiff,

v.

PRETRIAL SCHEDULE

City of Minneapolis, et al.,

Defendants.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern this proceeding. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

1. Discovery/Non-Dispositive Motions:

- a. All motions which seek to amend the pleadings or add parties must be served by December 1, 2010.
- b. All discovery shall be commenced in time to be completed by December 1, 2011.
- c. No more than 35 interrogatories, including all discrete subparts, shall be served by any party.
- d. No more than 15 depositions shall be taken by any party.
- e. No more than two Rule 35 examinations may be conducted and must be completed on or before January 1, 2012.
- f. All nondispositive motions and supporting documents, including those which relate to discovery, shall be served by July 1, 2012.

Nondispositive motions may be scheduled for hearing by calling Cathy Orlando, Calendar Clerk to Magistrate Judge Franklin L. Noel, 612-664-5110. All nondispositive motions shall be scheduled, filed and served in compliance with Local Rules 7.1, 37.1 and 37.2.

2. Expert Disclosure and Discovery:

- a. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) shall be made as follows:
 - 1) By Plaintiff(s) on or before December 1, 2011.
 - 2) By Defendant(s) on or before February 1, 2012.
- b. Full disclosure of the substance of the testimony to be offered by each expert witness shall be made as follows:
 - 1) By Plaintiff(s) on or before January 15, 2012.
 - 2) By Defendant(s) on or before March 15, 2012.
- c. Each party may depose no more than two expert witnesses on or before July 1, 2012.
- d. Any expert testimony which has not been fully disclosed in accordance with this schedule shall be excluded from evidence at trial.

3. Dispositive Motions:

- a. All dispositive motions shall be filed and served by October 1, 2012.
- b. Counsel are reminded that they must anticipate the time required for scheduling this hearing by calling Calendar Clerk Heather Walker at 612-664-5053.
- c. All dispositive motions shall be scheduled, filed and served in compliance with Local Rule 7.1.

4. Trial

- a. This case shall be ready for trial on and after December 1, 2012, at which time it will be placed on the court's jury trial calendar.
- b. Trial is estimated to last 5 trial days.

DATED: May 28, 2010

s/ Franklin L. Noel
FRANKLIN L. NOEL
United States Magistrate Judge